

Serial No. **52037**

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office **APR 26 1988**

Returned to applicant for correction

Corrected application filed Map filed **APR 26 1988** under **52036**

The applicant **Battle Mountain Gold Company**

Post Office Box 1627 of **Battle Mountain**  
Street and No. or P.O. Box No. City or Town

Nevada(89820-1627) hereby make Application for permission to change the  
State and Zip Code No.

**Point of Diversion**

Point of diversion, manner of use, and/or place of use  
of water heretofore appropriated under **Permit No. 48140**  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
identify right in Decree.)

1. The source of water is **Underground Well (M-1)**  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed **3.33 cfs**  
Second foot, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **Mining, Milling and Domestic**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for **Mining, Milling and Domestic**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point **SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 9, T30N, R43E,**  
Describe as being within a 40-acre subdivision of public survey and by course and  
MDM or at a point from which the South One-Quarter corner of said  
distance to a section corner. If on unsurveyed land, it should be stated.  
**Section 9 bears, S 48° 52' 47" W a distance of 903.15 feet**

6. The existing permitted point of diversion is located within **NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 21, T31N,**  
If point of diversion is not changed, do not answer.  
**R43E, MDM or at a point from which the North One-Quarter corner of**  
**said Section 21 bears, N 68° 43' 19" W a distance of 1473.46 feet**

7. Proposed place of use **Sections 21, 22, 27, 28, 33 and 34, T31N, R43E,**  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
**MDM and Sections 9 and 10, T30N, R43E, MDM.**

8. Existing place of use **Sections 21, 22, 27, 28, 33 and 34, T31N, R43E,**  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
**MDM and Sections 9 and 10, T30N, R43E, MDM.**  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from **January 1** to **December 31** of each year.  
Month and Day Month and Day

10. Use was permitted from **January 1** to **December 31** of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) **Drill and case well, install pump**  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
**and motor and pipeline to place of use.**  
pipes and flumes, or drilled well, etc.

12. Estimated cost of works **\$50,000**

13. Estimated time required to construct works **Two Years**

14. Estimated time required to complete the application of water to beneficial use.....Ten Years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

.....  
.....  
.....

By.....s/Richard W. Arden  
Richard W. Arden, Agent  
950 Industrial Way  
Sparks, NV (89431)

Compared.....jm/kr.....pm/se

Protested.....

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 48140 is issued subject to the terms and conditions imposed in said Permit 48140 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 11876, Certificate 3503, 36870, 49459, 49460, 49461, 52036 and 52037 shall not exceed 825.65 million gallons annually.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....3.33.....cubic feet per second, but not to exceed 785.56 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....November 12, 1988

Proof of completion of work shall be filed before.....December 12, 1988

Application of water to beneficial use shall be made on or before.....November 12, 1989

Proof of the application of water to beneficial use shall be filed on or before.....December 12, 1989

Map in support of proof of beneficial use shall be filed on or before.....N/A

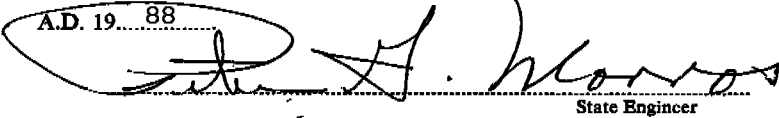
Completion of work filed.....JAN 13 1992.....IN TESTIMONY WHEREOF, I.....PETER G. MORROS.....  
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed.....my office, this.....11th.....day of.....October.....

Cultural map filed.....

Certificate No.....Issued.....

2407 (Rev. 6-81)  
Abrogated By: 65411 3.33

A.D. 19.....88.....  
  
State Engineer

(PERMIT TERMS CONTINUED)

to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

